

By: Pacheco

H.B. No. 1867

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the election of board members and filling of vacant
3 board positions for emergency services districts in certain
4 counties.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 775.034(h), Health and Safety Code, is
7 amended to read as follows:

8 (h) This section does not apply to a district located wholly
9 in a county:

10 (1) with a population of more than three million;

11 (2) with a population of more than 200,000 that
12 borders Lake Palestine; ~~or~~

13 (3) with a population of less than 200,000 that
14 borders another state and the Gulf Intracoastal Waterway; or

15 (4) with a population of more than 1.5 million that
16 does not border another county with a population of more than 1.5
17 million.

18 SECTION 2. Section 775.0345(a), Health and Safety Code, is
19 amended to read as follows:

20 (a) This section applies only to a district located wholly
21 in a county:

22 (1) with a population of more than three million;

23 (2) with a population of more than 200,000 that
24 borders Lake Palestine; ~~or~~

1 (3) with a population of less than 200,000 that
2 borders another state and the Gulf Intracoastal Waterway; or
3 (4) with a population of more than 1.5 million that
4 does not border another county with a population of more than 1.5
5 million.

6 SECTION 3. Section 775.0355(b), Health and Safety Code, is
7 amended to read as follows:

8 (b) This section applies only to a district located wholly
9 in a county:

- 10 (1) with a population of more than three million;
11 (2) with a population of more than 200,000 that
12 borders Lake Palestine; [~~or~~]
13 (3) with a population of less than 200,000 that
14 borders another state and the Gulf Intracoastal Waterway; or
15 (4) with a population of more than 1.5 million that
16 does not border another county with a population of more than 1.5
17 million.

18 SECTION 4. Section 775.0445(b), Health and Safety Code, is
19 amended to read as follows:

20 (b) This section applies only to a district located wholly
21 in a county:

- 22 (1) with a population of more than three million;
23 (2) with a population of more than 200,000 that
24 borders Lake Palestine; [~~or~~]
25 (3) with a population of less than 200,000 that
26 borders another state and the Gulf Intracoastal Waterway; or
27 (4) with a population of more than 1.5 million that

1 does not border another county with a population of more than 1.5
2 million.

3 SECTION 5. Section 775.082(e-1), Health and Safety Code, is
4 amended to read as follows:

5 (e-1) When a district located wholly in one county fails to
6 complete and file the audit report by September 1 of each year and a
7 county auditor is not ordered to prepare the report, the president
8 and treasurer of the board are removed from the board and the
9 commissioners court shall fill the vacancies for the remainder of
10 the unexpired term [~~as provided by Section 775.034~~].

11 SECTION 6. (a) This Act does not prohibit a person who is a
12 commissioner on the effective date of this Act and who was appointed
13 under Section 775.034, Health and Safety Code, from running for
14 election to the board if the person has the qualifications required
15 for a member under Section 775.0345, Health and Safety Code, as
16 amended by this Act.

17 (b) The terms of the members of a board of emergency
18 services commissioners serving on the effective date of this Act
19 who were appointed under Section 775.034, Health and Safety Code,
20 before the effective date of this Act expire on the date a majority
21 of the members of the initial board of emergency services
22 commissioners elected under Subsection (c) of this section qualify
23 to serve.

24 (c) The county judge of a county with an emergency services
25 district to which Section 775.0345(a)(4), Health and Safety Code,
26 as added by this Act, applies on the effective date of this Act and
27 to which Section 775.034, Health and Safety Code, previously

1 applied, shall establish an election to elect the initial emergency
2 services commissioners of that district in the manner required by
3 Section [775.0345](#), Health and Safety Code, for election of the
4 initial commissioners as if the district had been created on the
5 effective date of this Act.

6 SECTION 7. This Act takes effect September 1, 2020.